

Village of Biscayne Park

640 NE 114th Street
Biscayne Park, FL 33161
(305) 899-8000

Mayor and Commission

John R. Hornbuckle
Mayor

Steve Bernard
Vice-Mayor

Robert "Bob" Anderson
Commissioner

Kelly Mallette
Commissioner

Chester H. Morris, M.D.
Commissioner

Frank R. Spence
Village Manager

John J. Hearn
Village Attorney

Ann Harper
Village Clerk

AGENDA

REGULAR COMMISSION MEETING

Ed Burke Recreation Center – 11400 NE 9th Court
Tuesday, April 1, 2008 - 7:00 pm

CALL TO ORDER and ROLL CALL

PLEDGE OF ALLEGIANCE

**ORDER OF BUSINESS - ADDITIONS, DEFERRALS,
OR WITHDRAWALS TO AGENDA**

PRESENTATIONS - None

1. PUBLIC COMMENTS RELATED TO AGENDA ITEMS

**2. CONSENT AGENDA (Motion to be made for all as one or remove for
discussion) Tab #2**

A. Approval of Minutes
Regular Meetings – February 5, 2008 and March 4, 2008

3. PUBLIC HEARINGS – TAB #3

A. SECOND READING OF ORDINANCES – None
B. VARIANCES – None

4. ORDINANCES – FIRST READING – TAB #4 - None

5. OLD BUSINESS – TAB #5

**A. Reconsideration of previous Commission action permitting two public
speaking opportunities during meetings on a trial basis (Mayor
Hornbuckle)**

B. Report on 75th Anniversary Committee activities (Mayor Hornbuckle)

**C. Status of Public Works Yard research (continued from February 4,
2008, Commission meeting) (Village Manager)**

Village of Biscayne Park - Agenda

5. OLD BUSINESS – TAB #5 - Continued

- D. Request by Kimley-Horn for a Citizens' Workshop to receive input on traffic issues
Manager's Recommendation: Tuesday, April 8, 2008, at 6:30 pm**
- E. Code Revision Committee (added at meeting)**

6. RESOLUTIONS – TAB #6

A. RESOLUTION 2008-5

A RESOLUTION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE VILLAGE OF BISCAYNE PARK FOR TRANSIT CIRCULATOR SERVICE.

B. RESOLUTION 2008-6

A RESOLUTION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, URGING MEMBERS OF THE FLORIDA LEGISLATURE DURING THE 2008 LEGISLATIVE SESSION TO SUPPORT AN AMENDMENT TO SECTION 403.524 OF THE FLORIDA STATUTES RELATING TO THE TRANSMISSION SITING ACT TO PROVIDE FOR INPUT FROM MUNICIPALITIES AND MORE OVERSIGHT FROM THE PUBLIC SERVICE COMMISSION (sponsored by Vice-Mayor Bernard) Manager's Recommendation: Approval

- 1. Copy of City of North Miami's Resolution**

7 NEW BUSINESS – TAB #7

- A. Consideration of authorizing an ordinance requiring all utility companies to secure a permit when doing any work on public property in the Village (Commissioner Anderson)**
- B. Recommendation to enter into a three-year contract with Inspiron Logistics to provide a Wireless Emergency Notification System (WENS) at a cost of \$6,500 per year
Manager Recommendation: Approval**
- C. Consideration of Vice-Mayor Bernard's motion that the development of Employee Job Performance Evaluations, Policies & Procedures Manual, and Job Descriptions be designated to be of the highest priority and that the Village Manager be directed to develop these post haste at all costs.**
- D. Minutes in summary form (added at meeting by Comm. Anderson)**

Village of Biscayne Park - Agenda

8. GOOD AND WELFARE (PUBLIC)

9. REPORTS – TAB #9

A. Committee Reports

1. Star gazing Group – Brett Shinn
2. Parks & Parkways Board – Dan Keys

B. Village Attorney Comments

1. Request for Executive Session regarding PBA Contract negotiations

C. Village Manager Comments

1. Report from Police Chief Glansberg

D. Commission Comments

1. Commissioner Anderson
2. Commissioner Mallette
3. Commissioner Morris
4. Vice-Mayor Bernard
5. Mayor Hornbuckle

10. ANNOUNCEMENTS -All public meetings are held at the Ed Burke Recreation Center 11400 NE 9th Court

*Wednesday, April 2	Parks & Parkways Board at 6:30 pm
* Monday, April 7	Planning and Zoning Board at 6:30 pm
*Tuesday, April 8	Citizens' workshop on traffic at 6:30 pm
* Tuesday, April 15	Code Enforcement Board at 7:00 pm
* Monday, April 21	Planning and Zoning Board at 6:30 pm
* Tuesday, April 22	Workshop with Florida Power & Light 6:30 pm
*Thursday, April 24	75 th Anniversary Committee at 6:30 pm

12. ADJOURNMENT - NOTE: TBS = To Be Submitted

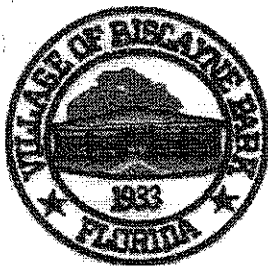
Visit our website at www.biscayneparkfl.gov

In accordance with the provisions of F.S. Section 286.0105, should any person seek to appeal any decision made by the Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in the proceedings should call Village Hall at (305) 899-8000 no later than (4) days prior to the proceeding for assistance.

DECORUM

Any person making impertinent or slanderous remarks, or who becomes boisterous while addressing the Commission, shall be barred from further audience before the Commission by the presiding officer, unless permission to continue or again address the commission is granted by the majority vote of the Commission members present. No clapping, applauding, heckling or verbal outbursts in support or in opposition to a speaker or his/her remarks shall be permitted. No signs or placards shall be allowed in the Commission Chambers. Please mute or turn off your cell phone or pager at the start of the meeting. Failure to do so may result in being barred from the meeting. Persons exiting the Chamber shall do so quietly.



Village of Biscayne Park

MINUTES

REGULAR MEETING

Ed Burke Recreation Center – 11400 NE 9th Court

Tuesday, April 1, 2008 - 7:00 pm

Mayor Hornbuckle called the meeting to order at 7:05 p.m. In addition to Mayor Hornbuckle, present were Vice-Mayor Steve Bernard and Commissioners Bob Anderson and Dr. Chester Morris. Commissioner Kelly Mallette was out of town and participated in the meeting by telephone from Tallahassee. Present from Staff were Frank Spence, Village Manager; John Hearn, Village Attorney; Holly Hugdahl, Acting Finance Director; Mitchell Glansberg, Police Chief; Bernard Pratt, Public Works Director; and Ann Harper, Village Clerk.

Commissioner Anderson led the Pledge of Allegiance followed by a moment of silence.

ORDER OF BUSINESS - ADDITIONS, DEFERRALS, OR WITHDRAWALS TO AGENDA

Commissioner Mallette asked that item 5C, Status of Public Works Yard research, be deferred to next meeting as she will have additional information available at that time. Commissioner Anderson added item 7D under New Business, Preparation of Minutes in Summary Form. Item 5E was added under Old Business, Selection of Code Review Committee Members. Mayor Hornbuckle removed item 5A, and Village Manager Spence removed the March 4, 2008, minutes from the Consent Agenda for revision.

PRESENTATIONS – Mayor Hornbuckle introduced Police Officer James Rubin. Chief Glansberg said Mr. Rubin has been a Reserve Officer since 2002 and has now joined the Police Department on a full-time basis.

1. PUBLIC COMMENTS RELATED TO AGENDA ITEMS

Dan Keys spoke about agenda item 6A and asked about the number of riders on the bus.

Chuck Ross spoke about item 7C, Employee Evaluations, and also about item 6A, transit bus.

Daniel Rodriguez spoke about item 6A and commented on the ridership issue. Commissioner Anderson said that when the bus route was put into place, it was not intended to be permanent.

2. CONSENT AGENDA (Motion to be made for all as one or remove for discussion) Tab #2

A. Approval of Minutes

Regular Meetings – February 5, 2008 and March 4, 2008

Motion was made by Commissioner Morris, seconded by Commissioner Anderson, to approve the February 5, 2008, minutes. The motion carried by voice vote, 5/0.

3. PUBLIC HEARINGS – TAB #3

A. SECOND READING OF ORDINANCES – None

B. VARIANCES – None

4. ORDINANCES – FIRST READING – TAB #4 - None

5. OLD BUSINESS – TAB #5

A. Reconsideration of previous Commission action permitting two public speaking opportunities during meetings on a trial basis (Mayor Hornbuckle) – removed from Agenda

B. Report on 75th Anniversary Committee activities (Mayor Hornbuckle)

Mayor Hornbuckle said seventeen people attended the first meeting on March 25th. They decided to hold three events: a parade, a family day with picnic, and an evening banquet. They will also have a historical display. The events will begin in October, and they are looking for sponsors to hold down the costs for the Village. Mr. Spence said there is approximately \$2,500 available for the events. The next committee meeting is April 24. The Miami-Dade Fire Department representative at the meeting said they will bring in trucks for the parade and will set up displays.

C. Status of Public Works Yard research (continued from February 4, 2008, Commission meeting) (Village Manager) – removed from Agenda

D. Request by Kimley-Horn for a Citizens' Workshop to receive input on traffic issues

Manager's Recommendation: Tuesday, April 8, 2008, at 6:30 pm

Mr. Spence said this meeting was triggered by the hit and run accident which occurred in January 2007. He recommended the workshop be held April 8th at 6:30 p.m. Mr. Spence said he will chair the meeting, and Commissioners will sit in the audience. Citizens will speak on their traffic issues.

E. Code Revision Committee (added at meeting)

Mr. Spence said a list has been provided to Commissioners of Board members who have confirmed they will participate in the review process. The list also includes other residents who are interested in serving. The Committee will be chaired by a member, not staff or an elected official. He recommended that the Chairman of the Code Enforcement Board or the Planning and Zoning Board serve as Chairman. The Committee will select their own Chairman, Vice Chairman, and someone to take minutes.

Motion was made by Commissioner Morris, seconded by Commissioner Anderson, to approve for committee membership everyone who is included on the list which was distributed, all sixteen people. The Committee will decide which member will serve as Alternate. The motion carried by voice vote, 5/0.

Attorney Hearn said he would notify members of their obligations under the Sunshine Law and Public Records laws. First meeting will be Wednesday, April 9, 2008, at 6:30 p.m.

6. RESOLUTIONS – TAB #6

A.

RESOLUTION 2008-5

A RESOLUTION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE VILLAGE OF BISCAYNE PARK FOR TRANSIT CIRCULATOR SERVICE.

Mr. Spence referred to the agreement in the backup and said that this was approved this past Tuesday evening by the North Miami City Council and it provides that North Miami will furnish local transportation to and within the Village. This program is known as the NOMI Express. This service is supported by CITT funds, and the cost has increased from \$2,500 to \$3,000 monthly.

Mr. Spence commented that public speakers earlier in the meeting mentioned seeing empty buses on the routes. The Village is required to provide transportation for those who might need it, and it is funded by the tax levy for that purpose. Mr. Spence introduced John O'Brien from North Miami, who addressed the Commission and described the changes and improvements in this service from the last contract to this one. He commented that ridership must be improved, and he will work on marketing the program and improving the routes.

Motion was made by Commissioner Anderson, seconded by Commissioner Morris, to approve the Resolution. The motion carried by voice vote, 5/0.

B.

RESOLUTION 2008-6

A RESOLUTION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, URGING MEMBERS OF THE FLORIDA LEGISLATURE DURING THE 2008 LEGISLATIVE SESSION TO SUPPORT AN AMENDMENT TO SECTION 403.524 OF THE FLORIDA STATUTES RELATING TO THE TRANSMISSION SITING ACT TO PROVIDE FOR INPUT FROM MUNICIPALITIES AND MORE OVERSIGHT FROM THE PUBLIC SERVICE COMMISSION (sponsored by Vice-Mayor Bernard) Manager's Recommendation: Approval

1. Copy of City of North Miami's Resolution

Attorney Hearn read the title of the Resolution. Mr. Spence said that Vice-Mayor Bernard requested that this be placed on the agenda, and the North Miami City Council approved it unanimously. Vice-Mayor Bernard gave the background of the Resolution.

Motion was made by Vice-Mayor Bernard, seconded by Commissioner Morris, to approve the Resolution. The motion carried by voice vote, 5/0.

7. NEW BUSINESS – TAB #7

A. Consideration of authorizing an ordinance requiring all utility companies to secure a permit when doing any work on public property in the Village (Commissioner Anderson)

Commissioner Anderson spoke about the need for this ordinance and described a problem which developed on N.E. 11th Place when a utility company dug a large hole in the street and left the Village without restoring the street.

Attorney Hearn said that many cities require a permit, and if the Village does not have anything requiring utility companies to obtain one, it can be done. He will check on current requirements and report back next meeting.

B. Recommendation to enter into a three-year contract with Inspiron Logistics to provide a Wireless Emergency Notification System (WENS) at a cost of \$6,500 per year Manager Recommendation: Approval

Mr. Spence said we have received late developing information about a wireless notification system at no cost to the Village. Many residents have already signed up for the service, which provides immediate simultaneous notification for emergencies. The only cost is a fee for phone text messages. If email notification is selected, there is no charge.

Chief Glansberg said the county has been using this pilot program for two years, and the Village can participate in it.

Motion was made by Commissioner Anderson, seconded by Commissioner Morris, for Administration to move forward with participation in this County program. The motion carried by voice vote, 5/0.

C. Consideration of Vice-Mayor Bernard's motion that the development of Employee Job Performance Evaluations, Policies & Procedures Manual, and Job Descriptions be designated to be of the highest priority and that the Village Manager be directed to develop these post haste at all costs.

Vice-Mayor Bernard said that the Village has needed job descriptions and performance evaluations for a long time, and he would like a consensus to direct the Manager to proceed with this assignment. The Manager can set priorities, but he wants a consensus to move ahead with the project.

Commissioner Anderson said he has been on the Commission a long time, and each Commission group has talked about having this done using an outside professional agency. He recommended that we check to see what has been done previously. After that, we should advertise or contact companies for quotes.

Motion was made by Commissioner Anderson, seconded by Commissioner Mallette, to direct the Manager to look at selecting a professional firm to develop policies and procedures for personnel. The motion carried by voice vote, 5/0.

D. Minutes in summary form (added at meeting by Commissioner Anderson)

Commissioner Anderson made a motion, which was seconded by Vice-Mayor Bernard, that the minutes be kept in summary form and requests for verbatim transcriptions be made during the Commission meeting. The motion carried by voice vote, 5/0.

8. GOOD AND WELFARE (PUBLIC)

Dan Keys commented on right-of-way permits, resolutions, code review, and the personnel manual in Coral Gables.

9 . REPORTS – TAB #9

A. Committee Reports

1. Star gazing Group – Brett Shinn reported on recent activities and said that approximately fifty people come to star gaze during the course of each evening

2. Parks & Parkways Board – Dan Keys reported on recent meetings.

B. Village Attorney Comments

1. Request for Executive Session regarding PBA Contract negotiations – Attorney Hearn said one meeting has been held with PBA and scheduled an Executive Session on March 6, 2008, at 6 p.m.

C. Village Manager Comments – Mr. Spence reviewed the financial statements and the status of Village funds; reported that Officer Pete Marotta has filed an application for disability retirement; stated that the Police processing area is being redesigned and reconstructed; updated the Commission on the status of the entry sign; distributed a copy of recommended maintenance for the ballfield and said it will be discussed by the Parks Board.

Mr. Spence read into the record a letter from City Manager Clarence Patterson of North Miami Beach which said the service fee for customers who pay water bills by credit card will not be removed. Commissioner Anderson said the water assessment issue should not be pursued further and asked for a Commission consensus. Commissioner Bernard said there is no rush to stop this process and asked for one more chance to talk to County about supplying water to the Village and he does not want to close the door on negotiating with North Miami. Commissioner Anderson said North Miami has a plan for upgrading their water system, and the Village knows the cost of the plan. The County is going to do the same thing, and it has been published that they will be spending multi-millions of dollars. He does not want to enter into something with the County unless there is a "guarantee" of what it is going to cost.

Commissioner Mallette said we have spent a lot of time on this issue, and she has spoken to North Miami representatives in Tallahassee. She does not feel that moving to the County is feasible. She would like to move on and stop making it an issue. There was consensus about this issue earlier.

Mayor Hornbuckle said it is clear that the Manager has done an excessive amount of homework and has done his part on this, but this does not preclude an individual Commissioner from going ahead and doing further fact finding.

1. Report from Police Chief Glansberg – Chief Glansberg reported on monthly crime statistics and stated that Officer Brad Kern will be joining the Department on a full-time basis on April 6, 2008.

D. Commission Comments

1. Commissioner Anderson asked for a donation of a dot matrix printer for the Police Department if anyone has one available.

2. Commissioner Mallette – no comments

3. Commissioner Morris spoke about seeing the Police Department patrolling the Village during his early-morning walks.

4. Vice-Mayor Bernard asked for a cost breakdown for the Easter Egg hunts. He asked residents for recommendations concerning the upcoming code review process.

5. Mayor Hornbuckle – no comments

10. ANNOUNCEMENTS -All public meetings are held at the Ed Burke Recreation Center 11400 NE 9th Court

***Wednesday, April 2**

*** Monday, April 7**

***Tuesday, April 8**

*** Tuesday, April 15**

*** Monday, April 21**

*** Tuesday, April 22**

***Thursday, April 24**

Parks & Parkways Board at 6:30 pm

Planning and Zoning Board at 6:30 pm

Citizens' workshop on traffic at 6:30 pm

Code Enforcement Board at 7:00 pm

Planning and Zoning Board at 6:30 pm

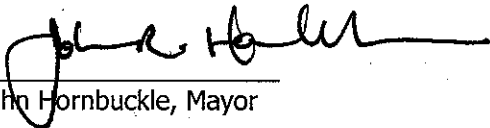
Workshop with Florida Power & Light 6:30 pm

75th Anniversary Committee at 6:30 pm

There being no further business to come before the Commission, the meeting adjourned at 9:00 p.m.

Commission approved ____May 6, 2008____

Attest:


John Hornbuckle, Mayor


Ann Harper, Village Clerk



City of North Miami

776 Northeast 125th Street, P.O. Box 619085, North Miami, Florida 33261-9085

am
Fale
J

Read into the record (305) 893-6511
@ April 1 Commission meeting

April 1, 2008

VIA FAX & U.S. MAIL
(305) 891-7241

Frank R. Spence
Village Manager
Village of Biscayne Park
640 N.E. 114th Street
Biscayne Park, FL 33161

Re: Request by Biscayne Park residents for a waiver of service fee when paying by credit card.

Dear Mr. Spence:

This is in response to your letter dated March 18, 2008 addressed to Mayor Kevin Burns in which I received a copy as well.

All of the City's customers, regardless of City residency, are assessed a convenience fee that is paid directly to a third party administrator, *Official Payments*, whenever a customer chooses to use their credit card as a method of payment when paying their utility bill by phone or the internet. Credit Cards are currently not accepted under any other circumstances.

The fee is assessed and collected by *Official Payments*, and it is not revenue to the City. Therefore, the City can not waive the fee.

In the future, once the City has implemented the Utility Billing module, under the new financial software system, EDEN, staff will address the acceptance of credit card payments, not just by phone or internet, but at the counter or by mail as well. The City understands that it will have to absorb the merchant fees associated with the transactions, but we recognize that the outcome, better customer service, will be worth the added cost. First, however, we must have the technological infrastructure in place in order to properly account for these transactions. The new system will allow us to do that, and it will also allow customers to view and pay their bills online.


[Signature]

Frank R. Spence
Village Manager
Village of Biscayne Park

April 1, 2008
Page 2

Rest assured that City staff continues to find ways to provide better customer service, and within a year, we hope to provide the service mentioned above. Until then, all customers who choose to pay by credit card will continue to pay the convenience fee to *Official Payments*.

Sincerely,


Clarence Patterson
City Manager

CP:mp

c: Mayor Kevin Burns
Carlos Perez, Finance Director
Mark Collins, Public Works Director